



**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY  
OF  
DOUGLAS MURDOCK, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
HOUSE COMMITTEE  
ON  
FINANCE  
ON  
FEBRUARY 26, 2015

H.B. 206, H.D. 1

RELATING TO HAWAIIAN PLANTS

Chair Luke and members of the Committee, thank you for the opportunity to submit written testimony on H.B. 206, H.D. 1.

The Department of Accounting and General Services (DAGS) does not support H.B. 206, H.D. 1, because it places additional requirements in the procurement code that will cause certain procurements to be more complex, more expensive, and more prone to protests.

While DAGS agrees that the use of Hawaiian plants is fundamental to preserving and fostering a Hawaiian sense of place, we encourage the committee to consider other methods to encourage use of Hawaiian plants such as building codes or tax credits.

Thank you for the opportunity to submit written testimony on this matter.

DAVID Y. IGE  
GOVERNOR



SARAH ALLEN  
ADMINISTRATOR

PAULA A. YOUNGLING  
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

P.O. Box 119  
Honolulu, Hawaii 96810-0119  
Telephone: (808) 587-4700  
e-mail: [state.procurement.office@hawaii.gov](mailto:state.procurement.office@hawaii.gov)  
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**TESTIMONY  
OF  
SARAH ALLEN, ADMINISTRATOR  
STATE PROCUREMENT OFFICE**

**TO THE HOUSE COMMITTEE  
ON  
FINANCE**

February 26, 2015, 11:00AM

**HOUSE BILL 206 HD1  
RELATING TO HAWAIIAN PLANTS**

Chair Luke, Vice-Chair Nishimoto, and members of the committee, thank you for the opportunity to submit testimony on HB206, HD1. The State Procurement Office (SPO) submits comments for your consideration.

Public procurement's primary objective is for fair, open competition and non-restrictive specifications. Our market research demonstrates there are very few contractors available to offer "Hawaiian plants," which results in restrictions to competition and non-alignment with the one of the primary objectives of the procurement code. In pursuit of this measure's goal agencies will require flexibility in order to maintain performance schedules while also growing this market. As such, SPO believes it would be more effective to require this detailed specification be set forth within the confines of the Hawaii Building Code that details specifications for public works construction and will provide for proper mechanism for oversight.

The SPO previously worked with the Office of Hawaiian Affairs on language that is in this measure's Senate companion, SB435 SD1. The SPO supports SB435 SD1 and would ask this committee amend this bill to match the Senate version, in particular the following substantive changes:

- Deleting language on page 3, lines 15 thru 20; page 4, lines 1 and 2;
- Deleting language on page 4, line 6 as follows:

(c) ~~[Subject to subsection (d)-t]~~ The timetable for the incorporation of Hawaiian plants pursuant to subsection (a) shall be as follows:

- Amending language on page 5, lines 5 thru 16 as follows:

~~[(d) For the purposes of calculating the minimum percentage of the total plant footprint for landscaping required under subsection (c), the total plant footprint shall exclude:~~

- ~~(1) Landscaped areas of sand, turf grass, sod, hydroseed, hydromulch, or stolons;~~
- ~~(2) The footprint of exceptional trees designated under chapter 58, and street trees; and~~
- ~~(3) Additional landscaped areas, not within the conservation land use district, within a county as determined by the county zoning agency, including but not limited to landscaping necessary for erosion control.~~

~~(e) This section shall not apply to landscaping associated with a significant historic property designated under section 6E-2 and its implementing regulations.~~

(f)] (d) Notwithstanding chapter 91, the head of the purchasing agency may determine exceptions to the requirements of subsection (a) using procedures, standards, or guidelines established by the policy board. The policy board may adopt rules pursuant to chapter 91 to establish the procedures, standards, or guidelines for determining exceptions to subsection (a).

(e) For purposes of this section:

Thank you.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
FINANCE**

**Thursday, February 26, 2015  
11:00 AM  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 206, HOUSE DRAFT 1  
RELATING TO HAWAIIAN PLANTS**

House Bill 206, House Draft 1 proposes to, subject to exceptions, require all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants. **The Department of Land and Natural Resources (Department) supports this measure and provides the following comments.**

The Department agrees the use of Hawaiian plants in public landscaping projects will contribute to a Hawaiian sense of place, reduce the use of non-native invasive plant species, and support the preservation of Hawaii's cultural and ecological heritage.

The Department notes that this bill makes exceptions for the footprints of exceptional trees and street trees. The Department suggests that consideration also be given for the footprint of other mature trees which may be a significant part of an existing landscape.

Thank you for the opportunity to testify on this important measure.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS





*The Judiciary, State of Hawai'i*

**Testimony to the House Committee on Finance**

Representative Sylvia Luke, Chair  
Representative Scott Nishimoto, Vice Chair

Thursday, February 26, 2015, 11:00 AM.  
State Capitol, Conference Room 308

**WRITTEN TESTIMONY ONLY**

by  
Rodney A. Maile  
Administrative Director of the Courts

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**Bill No. and Title:** House Bill No. 206, House Draft 1 Relating to Hawaiian Plants.

**Purpose:** Subject to exceptions, requires all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants. Effective 6/30/2016. (HD1)

**Judiciary's Position:**

The Judiciary is in general support of this bill's proposed revisions to HRS § 103D-408, the spirit of which the Judiciary has incorporated in the planning and design of its newer facilities, including that which is in progress for the new Kona Judiciary Complex in West Hawai'i, as well as the recently completed landscaping renovations at Ali'iōlani Hale in downtown Honolulu's Capitol District.

Thank you for the opportunity to testify on House Bill No. 206, House Draft 1.



**HB206 HD1**  
**RELATING TO HAWAIIAN PLANTS**  
House Committee on Finance

February 26, 2015

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** HB206 HD1, which is a bill in OHA's 2015 Legislative Package. HB206 HD1 amends the Public Procurement Code to require a gradually increasing minimum percentage of Hawaiian plants in new and renovated publicly-funded landscaping projects. **By passing this bill, the state would continue to place itself at the forefront of promoting the use of Hawaiian plants, an important step towards preserving our cultural and threatened ecological heritage.**

HB206 HD1 provides clear yet flexible guidelines for state and county agencies in procuring landscaping projects that incorporate Hawaiian plants. Currently, the Procurement Code requires indigenous and Polynesian-introduced plants to be used "wherever and whenever feasible"; however, this has not substantially increased the use of Hawaiian plants in urban and suburban environments. By replacing the ambiguous phrase "wherever and whenever feasible" with a specific percentage of the total plant footprint that must use Hawaiian plants, and providing for exemptions in situations where the use of Hawaiian plants may not be feasible, HB206 HD1 will make compliance with the spirit of existing procurement law substantially easier for procuring agencies and their applicants. HB206 HD1 includes specific exemptions, such as for turf grass and street trees, and provides a mechanism for the counties to seek additional exemptions for certain projects or environmental conditions.

In setting the minimum required percentages for the total footprint, HB206 HD1 sets up a phased in approach—10 percent by 2019, 25 percent by 2025, and 35 percent by 2030. This timetable was developed in close consultation with stakeholders and experts, and provides nurseries, landscaping professionals, and other plant suppliers with sufficient time to increase their stocks of Hawaiian plants. Financial implications are minimal as the law already requires incorporation of native plants, and HB206 HD1's **phased in approach further minimizes fiscal burdens: while many Hawaiian and non-Hawaiian plants are already comparable in cost, the cost of Hawaiian plants should continue to decrease as the local plant market develops to meet demand.**

Hawaiian culture is intimately tied to the land and its resources. Historically, each island, moku, and ahupua'a supported varied and diverse plant life. Such plants were and continue to be essential to perpetuating place-based Native Hawaiian traditional and customary practices, as well as Native Hawaiian traditional knowledge. The connection between Hawaiian culture and Hawai'i's plant life is also evident in other forms: from place names based on regional flora (e.g., 'Aiea, Hau'ula, Kapālama), to mo'olelo (e.g., 'Ōhi'a and Lehua), chants (e.g., the Kumulipo), and hula relating to and inspired by Hawaiian plants. Accordingly, the increased presence of Hawaiian plants in state landscaping will ensure that our cultural heritage is reflected in our

public spaces, educating both residents and visitors as to the value and significance of our islands' flora.

In addition, the increased use of Hawaiian plants in public landscaping will help to reverse the rapid decline of these ecologically important species, as well as other native life that may depend upon them. The displacement and decline of Hawaiian plants, which have been integrated in our islands' ecological landscape for hundreds if not thousands of years, have contributed significantly to Hawai'i's reputation as the "endangered species capitol of the world." More than 270 of Hawai'i's plant species are threatened or endangered. OHA recognizes that the extinction of a plant species can result in the extinction of associated traditional and customary practices, as well as associated indigenous knowledge that has been passed down for generations. Increasing the use of Hawaiian plants in public landscaping projects can help to reverse this trend, not just directly, but also through the development of Hawaiian plant nurseries and greater knowledge of Hawaiian plants' ecological importance.

OHA notes that the companion bill to this measure, SB435 SD1, has been amended to accommodate concerns previously voiced by the State Procurement Office. SB435 SD1 retains the required minimum plant footprint percentages in HB206, but provides for any exemptions to be addressed through administrative action rather than specified in the bill itself. OHA defers to the Committee as to whether to maintain the current language of HB206 HD1, or adopt the approach of SB435 SD1. If the Committee prefers the latter approach, in order to provide greater clarity and guidance, OHA recommends amending the language found on page 5, lines 1-12 of HB206 HD1 to read as follows:

(d) Notwithstanding chapter 91, for the purposes of satisfying the percentage footprint requirements under subsection (c), the purchasing agency may exclude from total plant footprint calculations those areas where available Hawaiian plant species are not appropriate for the particular landscaping needs or environmental conditions of such areas. The exclusion of such areas shall be determined using procedures, standards, or guidelines established by the policy board at the time of issuance of the invitation for bids, request for proposals, or other solicitation under this chapter. Such procedures, standards, or guidelines may be established by board action notwithstanding chapter 91.

Therefore, OHA urges the Committee to **PASS** HB206 HD1. Mahalo nui for the opportunity to testify.

1288 Kapiolani Blvd, Apt 1905  
Honolulu, Hawai'i 96814  
February 24, 2015

TESTIMONY **IN SUPPORT** OF HB206 HD1  
RELATING TO HAWAIIAN PLANTS  
Hearing February 26, 2015, 11:00 a.m., Conference Room 308

Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice Chair  
Members  
Committee on Finance

Aloha mai kākou

The Kalihi Palama HCC supports HB206 HD1, Relating to Hawaiian Plants, which seeks to require all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants, subject to exceptions.

Adoption of this bill would support the recommendation of the Hawai'i 2050 Sustainability Task Force's recommendation in their report to the legislature, dated January 2008. Among the five goals listed in the Hawai'i 2050 Sustainability Plan are: "Our natural resources are responsibly and respectfully used, replenished and preserved for future generations"; "Our Kanaka Maoli and island cultures and values are thriving and perpetuated."

This kind of initiative helps us to assure that future generations will enjoy and benefit from Hawaiian plants, many of which are the foundation of Native Hawaiian traditional and customary practices. As one young person remarked to me recently, "It saddens me to know that my keiki may not grow up ever seeing at all the plants our ancestors wove into their mo'olelo, worship, la'au and foods. It heartens me a little to think of them being re-poliferated even just a little bit and incorporated into the modern Hawaiian life."

Let's put meaning into the Hawaii 2050 Sustainability Plan. Your passage of this bill is the right thing to do for Hawai'i and its people.

Mahalo,

LEIMOMI KHAN  
President, Kalihi Palama HCC



Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 206 HD1 Relating to Hawaiian Plants  
House Committee on Finance  
Thursday, February 26, 2015, 11:00AM, Room 308

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*For more than 35 years, The Nature Conservancy of Hawai'i has been working closely with government agencies, local businesses, private landowners, non-profit partners, and interested communities across the state to preserve the lands and waters upon which all life in these islands depends. The Conservancy is a private non-profit conservation organization that has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i, and support 19 coastal communities seeking to co-manage marine resources in partnership with the State of Hawai'i.*

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The Nature Conservancy supports H.B. 206 HD1 to amend the state procurement code to mandate increased use of Hawaiian plants in publicly-funded landscaping.

Most people around the world have a vision of Hawai'i that includes sand, surf, coconut palms, and plumeria. All of us would agree that few places are more renowned for their natural environment than Hawai'i. However, even for many who were raised here, there is a Hawai'i they might not recognize. Hawai'i's natural landscape includes an amazing and beautiful set of ecological systems; with over 10,000 native plants and animals, more than 90% of which are found nowhere else on Earth. Over thousands of years, wind and ocean currents carried seeds, insects, birds and fishes to these islands. Once here, plants and animals adapted into beautiful and unique life forms and ecosystems. These along with early Polynesian introductions created a unique and balanced blend of plants and animals. Hawaiian culture identifies an intrinsic relationship of people to land as ancestor.

Unfortunately, we have lost more than half of our native ecosystems over time, primarily due to land conversion for a variety of human uses. Today, our native forests have retreated to the uplands. A major threat to what remains is invasive species—plants, animals and diseases that harm our environment, economy and quality of life.

This bill can play an important role on many levels, including:

- Enhancing the market for locally grown products;
- Reducing the risk of imported pests and diseases;
- Educating residents and visitors about Hawai'i's globally unique ecology and culture; and
- Promoting the sense of place and quality of life we desire and expect in our home.

Thank you for this opportunity to offer our support for this bill.

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**Council Services Division**  
4396 Rice Street, Suite 209  
Līhu'e, Kaua'i, Hawai'i 96766

February 24, 2015

**TESTIMONY OF KIPUKAI KUALI'I  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
HB 206, HD 1, RELATING TO HAWAIIAN PLANTS  
House Committee on Finance  
Thursday, February 26, 2015  
11:00 a.m.  
Conference Room 308**

Dear Chair Luke and Members of the Committee:

Thank you for this opportunity to submit testimony in support of HB 206, HD 1, Relating to Hawaiian Plants. My testimony is submitted in my capacity as the Economic Development & Intergovernmental Relations Committee Chair and as an individual Councilmember of the Kaua'i County Council.

The purpose of HB 206, HD 1 is to amend state procurement code to require that all publicly-funded landscaping projects include a minimum percentage of Hawaiian plants in order to contribute to a Hawaiian sense of place, to reduce the use of non-native invasive plant species, and to support preservation of Hawai'i's cultural and ecological heritage. Hawaiian plants are the foundation of many Native Hawaiian traditional and customary practices. Normalizing its use in publicly-funded landscaping projects will create additional habitat for native animals, insects, and birds, many of which can only be found in Hawai'i. Requiring the use of Hawaiian plants will also benefit our local growers of these types of plant material. As the Economic Development & Intergovernmental Relations Committee Chair and Native Hawaiian, I strongly support all efforts to provide additional economic opportunities for our plant growers, while perpetuating our Hawaiian culture.

For the reasons stated above, I strongly encourage the House Committee on Finance to support this measure. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

KIPUKAI KUALI'I  
Councilmember, Kaua'i County Council



The House of Representatives  
Committee on Finance  
February 26, 2015  
11:00 a.m., Conference Room 308  
State Capitol

### **Testimony in Support of HB 206 HD1**

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports HB 206 HD1**, with suggested changes which, with exceptions, would require all state-funded new or renovated non-highway landscapes (and other exceptions) to incorporate at least 10% native or Polynesian introduced plants starting in 2019; and increasing to 25% in 2025 and to 35% in 2030.

In the next five years before implementation of such a change, we could learn a lot about what would be necessary for success. We have worked closely with the Landscape Industry Council of Hawai'i (LICH) on a variety of issues and projects, and we should continue to rely on experts in the industry, and in native plant research to point out what is needed to succeed. There have been spectacular failures of native plants in landscapes in the past, and equally spectacular successes. In discussion the bill with industry experts, the following suggestions have been made, which we agree:

1. A process for exemption should exist for projects that are not hospitable for the minimum percentage of Hawaiian plants. This process must balance conservation and industry, with Department of Land and Natural Resources AND University of Hawai'i College of Tropical Agriculture and Human Resources (UH CTAHR) or other entity reviewing the exemption request.
2. Research and development of native plants for public landscapes, and the maintenance needs of such landscapes is poorly-funded. Much of the work is done by private businesses in private landscapes that have a vested interest in maintaining their landscapes. The only other work is being conducted by UH CTAHR for roadsides, and conservation groups for restoration work. If this bill passes, it would also be important to use the next five years to prepare for implementation. Funds for R&D would help ensure success.
3. While the use of the Hawai'i-Pacific Weed Risk Assessment (HPWRA) can be more than 90% accurate at predicting whether or not a plant will be invasive in Hawai'i, it should not be used as the only criteria for planting decisions. Again, we should balance conservation with industry, and use the HPWRA along with horticultural and environmental factors when deciding on non-native landscaping plants.

Your support of HB 206 HD1 will help us send the following clear messages: that the use and care of Hawaiian plants in public places are priorities, and that we must continue to work together to prevent the use and spread of invasive horticultural plants. Mahalo for your consideration.

Aloha,  
Christy Martin  
CGAPS





**Testimony of Hawai'i Green Growth in Support of HB206 SD1  
Relating to Hawaiian Plants**

**House Committee on Finance**  
26 February 2015, 11:00am, Room 308

Audrey Newman  
Hawai'i Green Growth  
P.O. Box 535 Ho'olehua, Hawai'i 96729

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*Hawai'i Green Growth is a voluntary partnership of more than 70 state, county, federal, business, and non-governmental leaders from energy, food production, natural resources, waste reduction, planning, green jobs, and other sectors who have come together to support a shared statewide commitment and tangible actions toward sustainability and a model green economy.*

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Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

**Hawai'i Green Growth (HGG) supports the Office of Hawaiian Affairs priority HB206 SD1** to increase Hawaiian plants in public landscaping. **HB206 SD1** will help advance action on the *Aloha+ Challenge: A Culture of Sustainability – He Nohona 'Ae'ōia*, a joint leadership commitment to sustainability for the State of Hawai'i signed by the Governor, Mayors, and Office of Hawaiian Affairs in July 2014. Native plant restoration is a key piece of the *Aloha+ Challenge's* 2030 target to "Reverse the trend of natural resource loss mauka to makai by increasing freshwater security, watershed protection, community-based marine management, invasive species control, and restoration of native species."

HGG supports amending the state procurement code to require that a clear and progressively-increasing percentage of all future publicly-funded landscaping projects utilize native and Polynesian-introduced plants to promote a Hawaiian sense of place, cultural preservation, biodiversity, biosecurity and ecosystem management.

Mahalo,

A handwritten signature in black ink that reads "Audrey Newman". The signature is fluid and cursive, with the first name "Audrey" written in a larger, more prominent script than the last name "Newman".

**Audrey Newman**

Senior Advisor, Hawai'i Green Growth (HGG)

*Bringing leaders together to achieve sustainability in Hawai'i & be a model for a green economy*

<http://www.hawaiigreengrowth.org/>



## **Association of Hawaiian Civic Clubs**

P. O. Box 1135  
Honolulu, Hawai`i 96807

### **HB 206HD1 RELATING TO HAWAIIAN PLANTS**

#### **HOUSE COMMITTEE ON FINANCE**

Thursday, 02/26/15; 11:00 am; Room 308

Aloha Madam Chair Luke, Vice chair Nishimoto and members of the House Finance Committee. The Association of Hawaiian Civic Clubs, founded in 1918 by Prince Kuhio to protect the rapidly disappearing culture, language, land and history now supports HB206HD1 as an attempt to preserve Hawaiian plants by increased usage, understanding and knowledge of how the ancient people thrived in a basically agrarian society.

Very clearly, introduced and invasive species have taken a huge toll on the indigenous and endemic plants of Hawaii and other rare species that rely on native plants to survive. Landscaping usage may not always be feasible due to variations of climate and soil conditions, but protection and preservation of native species in a changing world is still essential.

We note that the bill has been amended slightly and concur with the amendments. We would hope that HB206HD1 and other bills before you today will raise the level of awareness and the need to preserve and protect not only native plants but what remains of the native culture that thrived before contact with the West.

Thank you for the opportunity to support HB206.

Contact: [Jalna.keala2@hawaiiantel.net](mailto:Jalna.keala2@hawaiiantel.net)



Testimony Before The House  
Committee on Finance

**IN SUPPORT OF HB 206 HD1**

Thursday, February 26, 2015, 11:00AM, Room 308

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

**KUA supports HB 206 HD1 as an incremental step towards 'āina momona.** This bill would require that, subject to exceptions, all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing incorporate native Hawaiian plants.

KUA employs a community-driven approach that currently supports a network of more than 31 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko l'a, and a new and growing hui of Limu practitioners all from across our state.

Many of the communities in the networks we facilitate focus on better natural resource management and restoration of native ecological systems and values more sensitive to the needs of their wahi (their places). This often includes the use of native plants as part of an appropriate place based approach to restoration from mauka to makai.

Our communities are committed to ensuring the long-term health of our cultural and natural resources because they have depended on them for generations. This bill among others is an exciting trend towards increasing government's role as a partner with our communities to restore the abundance that we are often so nostalgic about.

**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 7:08 AM  
**To:** FINTestimony  
**Cc:** robertl@oha.org  
**Subject:** \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By           | Organization | Testifier Position | Present at Hearing |
|------------------------|--------------|--------------------|--------------------|
| Robert K. Lindsey, Jr. | Individual   | Support            | No                 |

**Comments:**

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**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 7:04 AM  
**To:** FINTestimony  
**Cc:** kamakane73@gmail.com  
**Subject:** \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Kama Hopkins | Individual   | Support            | No                 |

**Comments:**

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 23, 2015 6:09 PM  
**To:** FINTestimony  
**Cc:** babyjean@hotmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/23/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Ronnie Perry | Individual   | Support            | No                 |

Comments: I strongly support this bill. Many native plants are on the endangered species list. Using these plants more will insure that they do not go extinct and that the animals and insects that depend on them will also have a chance to survive. Mahalo Ronnie Perry

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## FIN-Jo

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**Cc:** ikepono@hotmail.com  
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### **HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By        | Organization | Testifier Position | Present at Hearing |
|---------------------|--------------|--------------------|--------------------|
| Isaiah Kala Kaaihue | Individual   | Support            | No                 |

#### Comments:

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## FIN-Jo

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**Sent:** Tuesday, February 24, 2015 10:33 AM  
**To:** FINTestimony  
**Cc:** kaliko08@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Donna K Santos | Individual   | Support            | No                 |

Comments: I am from Kaua`i and I strongly SUPPORT HB206 HD1 which will require the use of Hawaiian plants in public landscaping projects. I believe that Hawaiian plants are important both culturally and ecologically, and the use of Hawaiian plants fosters a uniquely Hawaiian sense of place. I urge the committee to PASS this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 1:21 PM  
**To:** FINTestimony  
**Cc:** peepuhala@hotmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

**HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Iolani Kuoha | Individual   | Support            | No                 |

Comments: Aloha, As a Hawaiian Language Immersion educator, and a Native Hawaiian, I strongly SUPPORT HB206 HD1 which will require the use of Hawaiian plants in public landscaping projects. I believe that Hawaiian plants are important both culturally and ecologically, and the use of Hawaiian plants fosters a uniquely Hawaiian sense of place. Hawaiian plants are important because they are the foundation of Native Hawaiian traditional and customary practices, and are celebrated in Native Hawaiian place names, mo'olelo, and cultural art forms such as hula. At the same time, normalizing the use of Hawaiian plants will provide essential habitat for native animals, insects, and birds, which are found only in Hawai'i. I urge the committee to PASS this bill. Thank You and mahalo for your support.

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**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 3:23 PM  
**To:** FINTestimony  
**Cc:** Kapinapalacat@gmail.com  
**Subject:** \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Kapina       | Individual   | Support            | No                 |

**Comments:**

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**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 24, 2015 3:21 PM  
**To:** FINTestimony  
**Cc:** dakatz@aol.com  
**Subject:** \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/24/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Godfrey      | Individual   | Support            | No                 |

**Comments:**

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**finance8-Melanie**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 9:21 AM  
**To:** FINTestimony  
**Cc:** jching808@gmail.com  
**Subject:** \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Jon          | Individual   | Support            | No                 |

**Comments:**

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 7:55 AM  
**To:** FINTestimony  
**Cc:** burgharc@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| cheryl       | Individual   | Support            | No                 |

Comments: This is Hawai'i. OF course, our plants should be native.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 10:58 AM  
**To:** FINTestimony  
**Cc:** ostrowsk@hotmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Dean O       | Individual   | Support            | No                 |

Comments: The state is currently using funds to get rid of invasive species. It is a waste of money to promote the planting of non-native species and potentially invasive species. Currently on the North Shore they are removing the invasive species planted on public beach land and on the Big Island during the latest hurricane most of the damage was caused by the Albizia trees, a non-native species. Right now, many Albizia trees are being examined because of the possible liabilities and need to be cut down and the projections are it could take millions of dollars to reverse this possible damage. The state departments should show leadership in looking toward the future for the people of Hawaii by planting native species in public places. It shows leadership for the rest of the population to landscape with native species as well. Invest in the future of Hawaii for its land and people, use only native plants for landscaping projects. Hawaiian plants will provide essential habitat for native animals, insects, and birds, which are found only in Hawai'i. I urge the committee to PASS this bill.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 9:28 AM  
**To:** FINTestimony  
**Cc:** dejamarie@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Deja         | Individual   | Support            | No                 |

Comments: Landscaping that uses non-Hawaiian plants does not reflect the uniqueness of Hawai'i, and contributes to the extinction of native flora, fauna, and Hawaiian culture. Rather than promote a true sense of place by using our public tax dollars to procure, plant, and manage endemic plants found only here in our islands, we continue to perpetuate a manufactured idea of Hawai'i that is no different than the landscape in Taiwan, Thailand, Indonesia, or Mexico. When we just keep planting more plumeria, monkeypod, non-native hibiscus, rainbow shower, monstera and other non-Hawaiian plants, we are using our public tax dollars to eliminate culture and reduce the economic value of our islands creating fake icons that are not Hawaiian. We spend millions on invasive species eradication. Please make sure our public tax dollars procuring landscaping also reflect and support our unique Hawaiian plants, and therefore the unique culture of our islands.

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## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 10:51 AM  
**To:** FINTestimony  
**Cc:** deanandsue@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Susan        | Individual   | Support            | No                 |

Comments: I am in favor of this bill for three reasons: 1. The state is currently using funds to get rid of invasive species. It is a waste of money to promote the planting of non-native species and potentially invasive species. Currently on the North Shore they are removing the invasive species planted on public beach land and on the Big Island during the latest hurricane most of the damage was caused by the Albizia trees, a non-native species. Right now, many Albizia trees are being examined because of the possible liabilities and need to be cut down and the projections are it could take millions of dollars to reverse this possible damage. 2. The state departments should show leadership in looking toward the future for the people of Hawaii by planting native species in public places. It shows leadership for the rest of the population to landscape with native species. Also, more legislation should be debated on the damage of importation of non-native species used in ornamental landscaping. 3. The evolution of the plant species on the Hawaiian Islands is specific to the environment and eco-system. There is a reason that they are here and many native species at the lower elevation are already at risk or endangered. It is environmentally friendly to replant only native species to try to repopulate and limit the planting of non-native species to bring the eco-system into balance once again. What if a Koa tree had been planted in the place of every Albizia tree years ago? Look at what the economic benefit would be today to the people of Hawaii, instead we have major liability because Albizia are not genetically equipped to handle high winds. I hope the legislature takes the lead in investing in Hawaii's future and passes this bill.

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:: Leanne Kealoha Fox ::

2<sup>nd</sup> Congressional District

House District: 39  
Senate District: 18

February 24, 2015

**HB206 HD1**

**RELATING TO HAWAIIAN PLANTS**

House Committee on Finance and Ocean, Marine Resources, & Hawaiian Values  
Hearing: Thursday, February 26, 2015 11:00 p.m. Room 308

Aloha a welina mai nei e nā alaka'i:

It is with great enthusiasm that I write testimony to **STRONGLY SUPPORT** HB 206 HD 1 relating to Hawaiian Plants in Public Landscaping Projects.

I strongly **SUPPORT HB206 HD1** which will require the use of Hawaiian plants in public landscaping projects. I believe that Hawaiian plants are important both culturally and ecologically, and the use of Hawaiian plants fosters a uniquely Hawaiian sense of place. Hawaiian plants are important because they are the foundation of Native Hawaiian traditional and customary practices, and are celebrated in Native Hawaiian place names, mo'olelo, and cultural art forms such as hula. At the same time, normalizing the use of Hawaiian plants will provide essential habitat for native animals, insects, and birds, which are found only in Hawai'i. I urge the committee to **PASS** this bill.

I urge the committee to **PASS** HB206 HD1.  
Respectfully, me ka `oia`i`o.

Letter of Support for HB206 HD1



The House of Representatives  
Committee on Finance  
February 26, 2015  
11:00 a.m., Conference Room 308  
State Capitol

### **Testimony in Support of HB 206 HD1**

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports HB 206 HD1**, with suggested changes which, with exceptions, would require all state-funded new or renovated non-highway landscapes (and other exceptions) to incorporate at least 10% native or Polynesian introduced plants starting in 2019; and increasing to 25% in 2025 and to 35% in 2030.

In the next five years before implementation of such a change, we could learn a lot about what would be necessary for success. We have worked closely with the Landscape Industry Council of Hawai'i (LICH) on a variety of issues and projects, and we should continue to rely on experts in the industry, and in native plant research to point out what is needed to succeed. There have been spectacular failures of native plants in landscapes in the past, and equally spectacular successes. In discussion the bill with industry experts, the following suggestions have been made, which we agree:

1. A process for exemption should exist for projects that are not hospitable for the minimum percentage of Hawaiian plants. This process must balance conservation and industry, with Department of Land and Natural Resources AND University of Hawai'i College of Tropical Agriculture and Human Resources (UH CTAHR) or other entity reviewing the exemption request.
2. Research and development of native plants for public landscapes, and the maintenance needs of such landscapes is poorly-funded. Much of the work is done by private businesses in private landscapes that have a vested interest in maintaining their landscapes. The only other work is being conducted by UH CTAHR for roadsides, and conservation groups for restoration work. If this bill passes, it would also be important to use the next five years to prepare for implementation. Funds for R&D would help ensure success.
3. While the use of the Hawai'i-Pacific Weed Risk Assessment (HPWRA) can be more than 90% accurate at predicting whether or not a plant will be invasive in Hawai'i, it should not be used as the only criteria for planting decisions. Again, we should balance conservation with industry, and use the HPWRA along with horticultural and environmental factors when deciding on non-native landscaping plants.

Your support of HB 206 HD1 will help us send the following clear messages: that the use and care of Hawaiian plants in public places are priorities, and that we must continue to work together to prevent the use and spread of invasive horticultural plants. Mahalo for your consideration.

Aloha,  
Christy Martin  
CGAPS

## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 7:55 AM  
**To:** FINTestimony  
**Cc:** burgharc@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

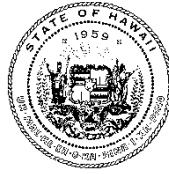
Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| cheryl       | Individual   | Support            | No                 |

Comments: This is Hawai'i. OF course, our plants should be native.

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**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY  
OF  
DOUGLAS MURDOCK, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
HOUSE COMMITTEE  
ON  
FINANCE  
ON  
FEBRUARY 26, 2015

H.B. 206, H.D. 1

RELATING TO HAWAIIAN PLANTS

Chair Luke and members of the Committee, thank you for the opportunity to submit written testimony on H.B. 206, H.D. 1.

The Department of Accounting and General Services (DAGS) does not support H.B. 206, H.D. 1, because it places additional requirements in the procurement code that will cause certain procurements to be more complex, more expensive, and more prone to protests.

While DAGS agrees that the use of Hawaiian plants is fundamental to preserving and fostering a Hawaiian sense of place, we encourage the committee to consider other methods to encourage use of Hawaiian plants such as building codes or tax credits.

Thank you for the opportunity to submit written testimony on this matter.

## FIN-Jo

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**Cc:** ostrowsk@hotmail.com  
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### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Dean O       | Individual   | Support            | No                 |

Comments: The state is currently using funds to get rid of invasive species. It is a waste of money to promote the planting of non-native species and potentially invasive species. Currently on the North Shore they are removing the invasive species planted on public beach land and on the Big Island during the latest hurricane most of the damage was caused by the Albizia trees, a non-native species. Right now, many Albizia trees are being examined because of the possible liabilities and need to be cut down and the projections are it could take millions of dollars to reverse this possible damage. The state departments should show leadership in looking toward the future for the people of Hawaii by planting native species in public places. It shows leadership for the rest of the population to landscape with native species as well. Invest in the future of Hawaii for its land and people, use only native plants for landscaping projects. Hawaiian plants will provide essential habitat for native animals, insects, and birds, which are found only in Hawai'i. I urge the committee to PASS this bill.

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### **HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Deja         | Individual   | Support            | No                 |

Comments: Landscaping that uses non-Hawaiian plants does not reflect the uniqueness of Hawai'i, and contributes to the extinction of native flora, fauna, and Hawaiian culture. Rather than promote a true sense of place by using our public tax dollars to procure, plant, and manage endemic plants found only here in our islands, we continue to perpetuate a manufactured idea of Hawai'i that is no different than the landscape in Taiwan, Thailand, Indonesia, or Mexico. When we just keep planting more plumeria, monkeypod, non-native hibiscus, rainbow shower, monstera and other non-Hawaiian plants, we are using our public tax dollars to eliminate culture and reduce the economic value of our islands creating fake icons that are not Hawaiian. We spend millions on invasive species eradication. Please make sure our public tax dollars procuring landscaping also reflect and support our unique Hawaiian plants, and therefore the unique culture of our islands.

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
FINANCE**

**Thursday, February 26, 2015  
11:00 AM  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 206, HOUSE DRAFT 1  
RELATING TO HAWAIIAN PLANTS**

House Bill 206, House Draft 1 proposes to, subject to exceptions, require all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants. **The Department of Land and Natural Resources (Department) supports this measure and provides the following comments.**

The Department agrees the use of Hawaiian plants in public landscaping projects will contribute to a Hawaiian sense of place, reduce the use of non-native invasive plant species, and support the preservation of Hawaii's cultural and ecological heritage.

The Department notes that this bill makes exceptions for the footprints of exceptional trees and street trees. The Department suggests that consideration also be given for the footprint of other mature trees which may be a significant part of an existing landscape.

Thank you for the opportunity to testify on this important measure.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



*The Judiciary, State of Hawai'i*

**Testimony to the House Committee on Finance**

Representative Sylvia Luke, Chair

Representative Scott Nishimoto, Vice Chair

Thursday, February 26, 2015, 11:00 AM.

State Capitol, Conference Room 308

**WRITTEN TESTIMONY ONLY**

by

Rodney A. Maile

Administrative Director of the Courts

---

**Bill No. and Title:** House Bill No. 206, House Draft 1 Relating to Hawaiian Plants.

**Purpose:** Subject to exceptions, requires all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants. Effective 6/30/2016. (HD1)

**Judiciary's Position:**

The Judiciary is in general support of this bill's proposed revisions to HRS § 103D-408, the spirit of which the Judiciary has incorporated in the planning and design of its newer facilities, including that which is in progress for the new Kona Judiciary Complex in West Hawai'i, as well as the recently completed landscaping renovations at Ali'iōlani Hale in downtown Honolulu's Capitol District.

Thank you for the opportunity to testify on House Bill No. 206, House Draft 1.





Testimony Before The House  
Committee on Finance

**IN SUPPORT OF HB 206 HD1**

Thursday, February 26, 2015, 11:00AM, Room 308

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA). KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona— an abundant, productive ecological system that supports community well-being.

**KUA supports HB 206 HD1 as an incremental step towards 'āina momona.** This bill would require that, subject to exceptions, all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing incorporate native Hawaiian plants.

KUA employs a community-driven approach that currently supports a network of more than 31 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond projects and practitioners called the Hui Mālama Loko l'a, and a new and growing hui of Limu practitioners all from across our state.

Many of the communities in the networks we facilitate focus on better natural resource management and restoration of native ecological systems and values more sensitive to the needs of their wahi (their places). This often includes the use of native plants as part of an appropriate place based approach to restoration from mauka to makai.

Our communities are committed to ensuring the long-term health of our cultural and natural resources because they have depended on them for generations. This bill among others is an exciting trend towards increasing government's role as a partner with our communities to restore the abundance that we are often so nostalgic about.

:: Leanne Kealoha Fox ::

2<sup>nd</sup> Congressional District

House District: 39  
Senate District: 18

February 24, 2015

**HB206 HD1**

**RELATING TO HAWAIIAN PLANTS**

House Committee on Finance and Ocean, Marine Resources, & Hawaiian Values  
Hearing: Thursday, February 26, 2015 11:00 p.m. Room 308

Aloha a welina mai nei e nā alaka'i:

It is with great enthusiasm that I write testimony to **STRONGLY SUPPORT** HB 206 HD 1 relating to Hawaiian Plants in Public Landscaping Projects.

I strongly **SUPPORT HB206 HD1** which will require the use of Hawaiian plants in public landscaping projects. I believe that Hawaiian plants are important both culturally and ecologically, and the use of Hawaiian plants fosters a uniquely Hawaiian sense of place. Hawaiian plants are important because they are the foundation of Native Hawaiian traditional and customary practices, and are celebrated in Native Hawaiian place names, mo'olelo, and cultural art forms such as hula. At the same time, normalizing the use of Hawaiian plants will provide essential habitat for native animals, insects, and birds, which are found only in Hawai'i. I urge the committee to **PASS** this bill.

I urge the committee to **PASS** HB206 HD1.  
Respectfully, me ka `oia`i`o.

Letter of Support for HB206 HD1



**HB206 HD1**  
**RELATING TO HAWAIIAN PLANTS**  
House Committee on Finance

February 26, 2015

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** HB206 HD1, which is a bill in OHA's 2015 Legislative Package. HB206 HD1 amends the Public Procurement Code to require a gradually increasing minimum percentage of Hawaiian plants in new and renovated publicly-funded landscaping projects. **By passing this bill, the state would continue to place itself at the forefront of promoting the use of Hawaiian plants, an important step towards preserving our cultural and threatened ecological heritage.**

HB206 HD1 provides clear yet flexible guidelines for state and county agencies in procuring landscaping projects that incorporate Hawaiian plants. Currently, the Procurement Code requires indigenous and Polynesian-introduced plants to be used "wherever and whenever feasible"; however, this has not substantially increased the use of Hawaiian plants in urban and suburban environments. By replacing the ambiguous phrase "wherever and whenever feasible" with a specific percentage of the total plant footprint that must use Hawaiian plants, and providing for exemptions in situations where the use of Hawaiian plants may not be feasible, HB206 HD1 will make compliance with the spirit of existing procurement law substantially easier for procuring agencies and their applicants. HB206 HD1 includes specific exemptions, such as for turf grass and street trees, and provides a mechanism for the counties to seek additional exemptions for certain projects or environmental conditions.

In setting the minimum required percentages for the total footprint, HB206 HD1 sets up a phased in approach—10 percent by 2019, 25 percent by 2025, and 35 percent by 2030. This timetable was developed in close consultation with stakeholders and experts, and provides nurseries, landscaping professionals, and other plant suppliers with sufficient time to increase their stocks of Hawaiian plants. Financial implications are minimal as the law already requires incorporation of native plants, and HB206 HD1's **phased in approach further minimizes fiscal burdens: while many Hawaiian and non-Hawaiian plants are already comparable in cost, the cost of Hawaiian plants should continue to decrease as the local plant market develops to meet demand.**

Hawaiian culture is intimately tied to the land and its resources. Historically, each island, moku, and ahupua'a supported varied and diverse plant life. Such plants were and continue to be essential to perpetuating place-based Native Hawaiian traditional and customary practices, as well as Native Hawaiian traditional knowledge. The connection between Hawaiian culture and Hawai'i's plant life is also evident in other forms: from place names based on regional flora (e.g., 'Aiea, Hau'ula, Kapālama), to mo'olelo (e.g., 'Ōhi'a and Lehua), chants (e.g., the Kumulipo), and hula relating to and inspired by Hawaiian plants. Accordingly, the increased presence of Hawaiian plants in state landscaping will ensure that our cultural heritage is reflected in our

public spaces, educating both residents and visitors as to the value and significance of our islands' flora.

In addition, the increased use of Hawaiian plants in public landscaping will help to reverse the rapid decline of these ecologically important species, as well as other native life that may depend upon them. The displacement and decline of Hawaiian plants, which have been integrated in our islands' ecological landscape for hundreds if not thousands of years, have contributed significantly to Hawai'i's reputation as the "endangered species capitol of the world." More than 270 of Hawai'i's plant species are threatened or endangered. OHA recognizes that the extinction of a plant species can result in the extinction of associated traditional and customary practices, as well as associated indigenous knowledge that has been passed down for generations. Increasing the use of Hawaiian plants in public landscaping projects can help to reverse this trend, not just directly, but also through the development of Hawaiian plant nurseries and greater knowledge of Hawaiian plants' ecological importance.

OHA notes that the companion bill to this measure, SB435 SD1, has been amended to accommodate concerns previously voiced by the State Procurement Office. SB435 SD1 retains the required minimum plant footprint percentages in HB206, but provides for any exemptions to be addressed through administrative action rather than specified in the bill itself. OHA defers to the Committee as to whether to maintain the current language of HB206 HD1, or adopt the approach of SB435 SD1. If the Committee prefers the latter approach, in order to provide greater clarity and guidance, OHA recommends amending the language found on page 5, lines 1-12 of HB206 HD1 to read as follows:

(d) Notwithstanding chapter 91, for the purposes of satisfying the percentage footprint requirements under subsection (c), the purchasing agency may exclude from total plant footprint calculations those areas where available Hawaiian plant species are not appropriate for the particular landscaping needs or environmental conditions of such areas. The exclusion of such areas shall be determined using procedures, standards, or guidelines established by the policy board at the time of issuance of the invitation for bids, request for proposals, or other solicitation under this chapter. Such procedures, standards, or guidelines may be established by board action notwithstanding chapter 91.

Therefore, OHA urges the Committee to **PASS** HB206 HD1. Mahalo nui for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR



SARAH ALLEN  
ADMINISTRATOR

PAULA A. YOUNGLING  
ASSISTANT ADMINISTRATOR

**STATE OF HAWAII  
STATE PROCUREMENT OFFICE**

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**TESTIMONY  
OF  
SARAH ALLEN, ADMINISTRATOR  
STATE PROCUREMENT OFFICE**

**TO THE HOUSE COMMITTEE  
ON  
FINANCE**

February 26, 2015, 11:00AM

**HOUSE BILL 206 HD1  
RELATING TO HAWAIIAN PLANTS**

Chair Luke, Vice-Chair Nishimoto, and members of the committee, thank you for the opportunity to submit testimony on HB206, HD1. The State Procurement Office (SPO) submits comments for your consideration.

Public procurement's primary objective is for fair, open competition and non-restrictive specifications. Our market research demonstrates there are very few contractors available to offer "Hawaiian plants," which results in restrictions to competition and non-alignment with the one of the primary objectives of the procurement code. In pursuit of this measure's goal agencies will require flexibility in order to maintain performance schedules while also growing this market. As such, SPO believes it would be more effective to require this detailed specification be set forth within the confines of the Hawaii Building Code that details specifications for public works construction and will provide for proper mechanism for oversight.

The SPO previously worked with the Office of Hawaiian Affairs on language that is in this measure's Senate companion, SB435 SD1. The SPO supports SB435 SD1 and would ask this committee amend this bill to match the Senate version, in particular the following substantive changes:

- Deleting language on page 3, lines 15 thru 20; page 4, lines 1 and 2;
- Deleting language on page 4, line 6 as follows:

(c) ~~Subject to subsection (d)-t~~ The timetable for the incorporation of Hawaiian plants pursuant to subsection (a) shall be as follows:

- Amending language on page 5, lines 5 thru 16 as follows:

~~[(d) For the purposes of calculating the minimum percentage of the total plant footprint for landscaping required under subsection (c), the total plant footprint shall exclude:~~

- ~~(1) Landscaped areas of sand, turf grass, sod, hydroseed, hydromulch, or stolons;~~
- ~~(2) The footprint of exceptional trees designated under chapter 58, and street trees; and~~
- ~~(3) Additional landscaped areas, not within the conservation land use district, within a county as determined by the county zoning agency, including but not limited to landscaping necessary for erosion control.~~

~~(e) This section shall not apply to landscaping associated with a significant historic property designated under section 6E-2 and its implementing regulations.~~

(f)] (d) Notwithstanding chapter 91, the head of the purchasing agency may determine exceptions to the requirements of subsection (a) using procedures, standards, or guidelines established by the policy board. The policy board may adopt rules pursuant to chapter 91 to establish the procedures, standards, or guidelines for determining exceptions to subsection (a).

(e) For purposes of this section:

Thank you.

## FIN-Jo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 25, 2015 10:51 AM  
**To:** FINTestimony  
**Cc:** deanandsue@gmail.com  
**Subject:** Submitted testimony for HB206 on Feb 26, 2015 11:00AM

### **HB206**

Submitted on: 2/25/2015

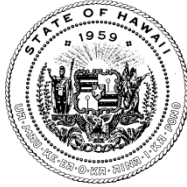
Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Susan        | Individual   | Support            | No                 |

Comments: I am in favor of this bill for three reasons: 1. The state is currently using funds to get rid of invasive species. It is a waste of money to promote the planting of non-native species and potentially invasive species. Currently on the North Shore they are removing the invasive species planted on public beach land and on the Big Island during the latest hurricane most of the damage was caused by the Albizia trees, a non-native species. Right now, many Albizia trees are being examined because of the possible liabilities and need to be cut down and the projections are it could take millions of dollars to reverse this possible damage. 2. The state departments should show leadership in looking toward the future for the people of Hawaii by planting native species in public places. It shows leadership for the rest of the population to landscape with native species. Also, more legislation should be debated on the damage of importation of non-native species used in ornamental landscaping. 3. The evolution of the plant species on the Hawaiian Islands is specific to the environment and eco-system. There is a reason that they are here and many native species at the lower elevation are already at risk or endangered. It is environmentally friendly to replant only native species to try to repopulate and limit the planting of non-native species to bring the eco-system into balance once again. What if a Koa tree had been planted in the place of every Albizia tree years ago? Look at what the economic benefit would be today to the people of Hawaii, instead we have major liability because Albizia are not genetically equipped to handle high winds. I hope the legislature takes the lead in investing in Hawaii's future and passes this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**LATE**

FORD N. FUCHIGAMI  
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Deputy Directors  
JADE T. BUTAY  
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EDWIN H. SNIFFEN  
DARRELL T. YOUNG

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 26, 2015  
11:00 A.M.  
State Capitol, Room 308

**H.B. 206, H.D. 1**  
**RELATING TO HAWAIIAN PLANTS**

House Committee on Finance

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The Department of Transportation (DOT) **supports** the intent of this bill, which proposes to require that Hawaiian plants be used in the landscaping for new or renovated buildings, complexes, facilities, or housing.

However, DOT has the following concerns regarding the language of the bill. The term "plant footprint" is used throughout the bill but is not clearly defined. Clearly defining "plant footprint" is important so that there is no misinterpretation.

DOT is also concerned with the inclusion of the landscape percentages as it fails to take into account the variety of considerations that goes into plant selection. DOT currently incorporates Hawaiian plants to the extent feasible and practicable. In addition to plant type, DOT also considers Hawaiian plant availability, suitability of the environment, and maintenance requirements for plant selection. For example, if plants are not widely available, it may increase cost and may delay completion of projects. Also, DOT facilities traverse a multitude of environments that is challenging to many plant species.

Thank you for the opportunity to provide testimony.



From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, February 25, 2015 3:45 PM  
To: FINTestimony  
Cc: shane.nelsen@gmail.com  
Subject: \*Submitted testimony for HB206 on Feb 26, 2015 11:00AM\*

**HB206**

Submitted on: 2/25/2015

Testimony for FIN on Feb 26, 2015 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------|--------------|--------------------|--------------------|
| Shane Nelsen | Individual   | Support            | No                 |

**Comments:**

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Conservation Council  
for Hawai'i

*Hawai'i's voice for wildlife*

*Kō Hawai'i leo no nā holoholona lōhiu*

**LATE**

Testimony Submitted to the  
House Committee on Finance

Hearing: Wednesday, February 26, 2015 11:00 am, Room 308

In Support of HB 206 HD 1 Relating to Hawaiian Plants

Aloha, Chair Luke, Vice Chair Nishimoto, and Members of the Committee. The Conservation Council for Hawai'i supports HB 206 HD 1, which, subject to exceptions, requires all plans, designs, and specifications for new or renovated landscaping of State-developed buildings, complexes, facilities, or housing to incorporate Hawaiian plants.

Native Hawaiian plants are beautiful and culturally significant, as are the Hawaiian canoe plants. We encourage the use of these plants in landscaping to raise awareness and allow more people to learn about and enjoy them. Here is one of my favorite native plants, 'a'ali'i, which is highly suitable for landscaping.

Mahalo nui loa for the opportunity to testify.

Sincerely,

*Marjorie Ziegler*

Marjorie Ziegler



*Conservation Council for Hawai'i is a nonprofit, environmental membership organization dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations. Established in 1950 and based in Honolulu, CCH is one of the largest and most effective wildlife organizations in Hawai'i with more than 5,000 members and supporters, including concerned citizens, educators, scientists, government agencies, and elected officials.*

*Through research, education, service, organizing, and legal advocacy, CCH works to stop the destruction of native wildlife and wild places in Hawai'i.*

*Since 1973, CCH has served as the Hawai'i state affiliate of the National Wildlife Federation.*

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Directors: Rick Barboza | Ryan Belcher | Maka'ala Ka'aumoana | Koalani Kaulukukui

Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters





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